

**Zoning Board of Appeals Minutes  
February 27, 2018**

ZBA MEMBERS	ZBA MEMBERS ABSENT	STAFF PRESENT
Jim Racheff- Chair Kenneth Ying Shuan Butcher Tom Overbey, Alternate	Bryan Patchan- Vice Chair Lawrence Aronow	Gabrielle Collard– Division Manager for Current Planning Jessica Murphy – Administrative Assistant Rachel Depo—Assistant City Attorney

**I. ANNOUNCEMENTS:**

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**II. GENERAL PUBLIC COMMENT:**

There was no general public comment.

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**III. APPROVAL OF MINUTES:**

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Approval of the **October 24, 2017** Zoning Board of Appeals Meeting Minutes as published:

**MOTION:** Mr. Overbey

**SECOND:** Dr. Ying

**VOTE:** 3-0 (Mr. Butcher abstained)

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Approval of the **January 23, 2018** Zoning Board of Appeals Meeting Minutes as published:

**MOTION:** Mr. Butcher

**SECOND:** Mr. Overbey

**VOTE:** 4-0

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Approval of the **February 23, 2018** Zoning Board of Appeals Field Trip Meeting Minutes as published:

**No vote needed as Field trip was cancelled for Friday February 23, 2018.**

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**IV. PUBLIC HEARING-SWEARING IN:**

*“Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Zoning Board of Appeals will be the whole truth and nothing but the truth.” If so, answer “I do”.*

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**VI. OLD BUSINESS:**

NONE

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**VII. NEW BUSINESS**

**A. ZBA18-91V, Variance, 200 W. College Terrace**

**ZBA Action:**

**MOTION:** Mr. Butcher moved to approve the variance request for ZBA18-91V, under the powers granted to the Board by Section 203 of the Land Management Code, finding that:

1. The variance is not contrary to the public interest as there will be no negative impacts on the provision of light, air, and access to other adjoining properties;
2. That the lot itself and the structure pre-dates the adoption of the current Land Management Code and are nonconforming with regards to the minimum lot area, width/frontage and setbacks and this presents conditions peculiar to the Property that under the strict application of the required secondary front setback results in a practical difficulty and/or undue hardship for the Applicant;
3. That the variance requested is the minimum reasonably necessary to overcome the conditions peculiar to the Property as it is consistent with the existing encroachment;
4. That application of reversed corner lot setback standards deprives the Applicant of rights commonly enjoyed by other properties in the same district;
5. That granting the variance will not confer a special privilege on the Applicant that is denied by the LMC to other lands or structures in the same district;
6. That granting the variance will be in harmony with the general purpose and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
7. That the Applicant has not created or caused to be created the situation which necessitates a variance request from the ZBA.

**SECOND:** Dr. Ying.

**VOTE:** 3-0

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**B. ZBA18-28V, Variance, 4 S. McCain Drive**

**ZBA Action:**

**MOTION:** Mr. Butcher moved to approve the continuance to the March 27, 2018 ZBA Hearing.

**SECOND:** Mr. Overbey.

**VOTE:** 3-0.

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**C. ITEMS ADDED TO AGENDA**

**Zoning Determinations Completed:**

- 18-039ZD, Riverside Research Park
- 18-047ZD, 1831 Shookstown Road
- 18-096ZD, 1811 Monocacy Blvd.

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**Meeting adjourned approximately at 8:05 p.m.**

Respectfully Submitted,

Jessica Murphy  
Administrative Assistant

APPROVED 03/27/2018